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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,532	04/20/2001	Chiaki Hashimoto	M1717-20	2134

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EXAMINER

CHANG, ERIC

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 03/19/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/839,532

Applicant(s)

HASHIMOTO, CHIAKI

Examiner

Eric Chang

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.7.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2116

### DETAILED ACTION

1. Claims 1-6 are pending.

#### *Specification*

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because of grammatical errors and the incorporation of figure reference numbers therein. Correction is required. See MPEP § 608.01(b).

4. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: "electronic equipments", "AC code", "makes a malfunction", "whether or mot", "what is called", and "so-called".

#### *Claim Rejections - 35 USC § 112*

Art Unit: 2116

5. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

6. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1,2 and 4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,003,192 to Beigel.

Art Unit: 2116

9. As to claim 1, Beigel discloses a power on/off circuit apparatus, comprising:

[a] a power on/off circuit for controlling an on/off of power supply to electronic equipments from an external power source [FIG. 3, element 40];

[b] a microcomputer for controlling said power on/off circuit based on an operation input of a power switch [col. 5, lines 20-24];

[c] a reset circuit for giving a reset signal to a reset terminal of the microcomputer when a power is supplied to said microcomputer [col. 4, lines 34-54]; and

[d] a non-volatile memory for storing a power on/off information just before said power switch is operated, said power switch being connected to said reset terminal [col. 4, lines 3-8].

Beigel teaches a power on/off circuit comprising a microcomputer logic unit that receives control input from a power switch and a reset circuit that indicates when power supply is available. The logic unit stores the state of the switch in the event of power interruption, and accordingly controls the power supply to electronic equipment, such as an LED, substantially as claimed.

10. As to claim 2, Beigel discloses that when said power switch is operated:

[a] said microcomputer reads a power on/off information of said non-volatile memory so as to determine a power on/off state just before the power switch is operated [col. 5, lines 26-30];

[b] writes a power-on information to said non-volatile memory while making a power-on operation if the microcomputer is in a power-off state [col. 5, lines 31-35]; and

[c] writes a power-off information to said non-volatile memory while making a power-off operation if the microcomputer is in a power-on state [col. 5, lines 31-35].

Art Unit: 2116

11. As to claim 4, Beigel discloses that when said power switch is operated, a reset terminal of said microcomputer is connected to a GND, and said microcomputer is reset so as to cancel a hang-up of the microcomputer [col. 5, lines 1-10].

*Claim Rejections - 35 USC § 103*

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,003,192 to Beigel, in view of U.S. Patent 6,625,739 to Kobayashi.

14. As to claim 3, Beigel discloses a power on/off apparatus including a non-volatile memory for storing the state of the power switch prior to the operation of said power switch. Beigel teaches all of the limitations of the claim, but does not teach a key scan of a key matrix is used to control the power on/off circuit.

Kobayashi teaches that a key scan of a key matrix of keys other than a power switch is used to control the power supplied to a computer [col. 2, lines 25-51].

At the time that the invention was made, it would have been obvious to a person of ordinary skill in the art to employ the key matrix means as taught by Kobayashi. One of

Art Unit: 2116

ordinary skill in the art would have been motivated to do so that a plurality of keys other than the power switch to control the power state of the associate electrical equipment.

It would have been obvious to one of ordinary skill in the art to combine the teachings of the cited references because they are both directed to the problem of controlling the power supplied from a power source to electrical equipment. Moreover, the key matrix means taught by Kobayashi would improve the flexibility of Beigel because it allowed the power control of the electrical equipment to be forcibly enforced by means other than the power switch.

15. As to claim 5, Kobayashi discloses the key matrix means causes the power on/off circuit to cancel a power supply to the electronic equipment even when the electronic equipments are operating in a power saving mode, said [col. 1, lines 23-30, col. 2, lines 1-8, and col. 3, lines 21-47], substantially as claimed.

### ***Conclusion***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Chang whose telephone number is (703) 305-4612. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (703) 305-9717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2116

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 11, 2004

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